

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

MALIK TYSON,  
a/k/a "Tenny,"

Defendant.

X

: ~~SEALED ORDER~~

: 24 Cr. 252

:

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X

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WHEREAS, an application has been made by the United States of America, with defendant MALIK TYSON's consent, for the temporary sealing of filings and other docket entries in the above-captioned case, and the captioning of the case as United States v. John Doe in the public docket;

WHEREAS, the Court finds that [REDACTED]

[REDACTED] if the Government's application is not granted;

IT IS HEREBY ORDERED that filings in the above-captioned case be filed under seal, and the case shall be captioned as United States v. John Doe in the public docket, until further order by this Court;

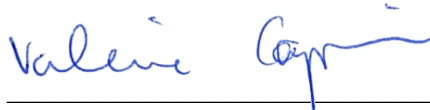
IT IS FURTHER ORDERED that no docket entries shall be made in the above-captioned matter until further Order by this Court;

IT IS FURTHER ORDERED that counsel for the defendant and the Government may be provided a copy of the transcript of proceedings in this matter without further Order of the Court; and

IT IS FINALLY ORDERED that the Government shall report to the Court on or before six months after execution of this Order regarding the continuing need, if any, to maintain these matters under seal.

SO ORDERED:

Dated: New York, New York  
May 10, 2024



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THE HONORABLE VALERIE E. CAPRONI  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	<u>SEALED AFFIRMATION</u>
	:	<u>AND APPLICATION</u>
- v. -	:	24 Cr. 252
MALIK TYSON,	:	
a/k/a "Tenny,"	:	
	:	
Defendant.	:	
-----	X	

GEORGIA V. KOSTOPOULOS hereby affirms, under penalty of perjury and pursuant to Title 28, United States Code, Section 1746, as follows:

1. I am an Assistant United States Attorney in the office of Damian Williams, United States Attorney for the Southern District of New York, and I am familiar with this matter. By this affirmation, the Government applies for an order of the Court directing that filings and other docket entries in the above-captioned case be filed under seal, and that the case be captioned United States v. John Doe in the public docket.

2. On or about April 24, 2024, defendant Malik Tyson was indicted for unlicensed dealing of firearms, and unlawful transfer of a firearm to an out-of-state resident. On or about May 1, 2024, Tyson was arrested in Chattanooga, Tennessee.

3.

[REDACTED]

[REDACTED]

[REDACTED]. [REDACTED]

[REDACTED].

4. Accordingly, the Government anticipates that, after further investigation,

[REDACTED]

[REDACTED], and furthermore, that subpoenas may be issued in the name of the grand jury for records pertaining to this investigation.

5. Although there is a qualified right of public access to Court documents, the Second Circuit has recognized that documents may be filed under seal to protect, among other things, [REDACTED]

[REDACTED]

[REDACTED]. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Docketing this case under the pseudonym “John Doe,” and sealing all filings in the case, is equivalent to making a sealed entry in the docket sheet.

6. Compelling law enforcement interests support an order directing that filings and other docket entries in this case be made under seal. Both based on [REDACTED] [REDACTED] the Government’s independent investigation, the Government has learned about other individuals who may have been involved in the alleged firearms trafficking scheme. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] could therefore jeopardize the Government's ongoing investigation. [REDACTED]


[REDACTED]. An order sealing filings and other docket entries in the above-captioned case would greatly reduce the risk that [REDACTED] will be exposed.

7. [REDACTED] will not be kept sealed indefinitely, however. [REDACTED]

[REDACTED]  
[REDACTED] At that time, the Government will move this Court for an order unsealing the filings of this case, and restoring the true caption of the case to the docket sheet.

8. Accordingly, the Government requests that filings and other docket entries in the above-captioned case, including this Affirmation and any order issued in connection with it, be filed under seal, and that the case be captioned United States v. John Doe in the public docket, until further order of the Court. No prior request for the relief set forth herein has been made, and counsel for Tyson has consented to this application.

Dated: New York, New York  
May 10, 2024

  
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GEORGIA V. KOSTOPOULOS  
Assistant United States Attorney  
Southern District of New York  
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